NOTICE OF A QUESTION PRIVILEGE AGAINST THE GOVERNOR OF MYSORE.

SRI H. M. CHANNABASAPPA:- (Periyapatna):- Sir, I have tabled a Privilege Motion against the Governor of Mysore Sri Dharma Vira.

SRI B. P. GANGADHAR:- Sir, I rise to a Point of order. The name of the Governor cannot be used on the floor of the House according to rules.

SRI H. N. NANJE GOWDA:- The Governor cannot say anything he likes about this Assembly.

SRI B. P. GANGADHAR:- Sir, I refer to Rule 288 (vi), which says:-

"A member while speaking shall not use the Governor's name for the purpose of infulencing the debate".

SRI H. N. NANJE GOWDA:- Sir, I may be permitted to say a few words before Ruling is given. I am one of the signatories to the Privilege Motion. It may affect our motion if a Ruling is given.

MR SPEAKER:- My Ruling on this point will not affect your Motion.

The rule is: "use the Governor's name for the purpose of influencing the debate". Therefore, it does not apply to the present case.

2-30 P. M.

† SRI H. M. CHANNABASAPPA :—My privilege motion against the Governor of Mysore is like this :

"The Governor Sri Dharma Vira has in his statement made on 15th October 1970 at Mangalore and reported in the Press on 16th October 1970 stated that the State Legislatures were being used as a stage for wrestling and that no real work is being done and the public money has been wasted. It is also reported in Hindu dated 16th October 1970 that the Legislatures were being used as wrestling bouts and no work was done for several days wasting public money".

These statements reflect on the deliberations of the Legislative Assembly with obvious reference to the Mysore Legislative Assembly. It affects the dignity of the House and it is derogatory to the conduct of the members of this House. This amounts to a breach of privilege. You are good enough to permit me to speak only for five minutes to show why consent should be given to the motion. This House is a

responsible body functioning with a great amount of restraint and responsibility and it is open to anybody outsite whether the Governor or anybody to have recourse to *bona fide*/reasonable comments, but not *mala fide* comments. It is not open to anybody to say that the Members of this House have been conducting themselves in an or irresponsible manner and that it amounts to wastage of public funds. He has stated as if the Members of the House have no responsibility and they fight like cats or dogs, and resorting to wrestling bouts wasting the public money. You can imagine what impression would be created in the country if a responsible man like this makes such comments. He has made undue comments which amount to a reflection on the conduct of the hon. Members of this August House. Therefore I feel that it is the legitimate right of every hon. Member of this House to place a privilege motion against Sri Dharma Vira.

In some quarters, it is stated that the Governor cannot be a subject matter for discussion in this House. I may submit to these friends that the Governor is not free from being commented upon by this August House which is a soveriegn body. The Governor is functioning as the Head of the State. Every action of the Government comes before us in the name of the Governor. There will be commissions and omissions in the action of the Governor and that means he is also wasting the Government funds. While discussing this subject with you this morning, you were just telling me that it was open to the Governor or the President of India to make comments on the proceedings of the House. I may submit that your information is not correct. This House enjoys certain privileges. I do not think that the Governor can, in any manner whatsoever except in accordance with the provisions of the Constitution and rules, interfere and make derogatory statements which affect the dignity of this House and the privileges of the members of the House. The Governor was making an obvious reference to Expo-70, and he said that ' the Constitution is being misused for doing all sorts of unconstitutional things and the legislatures were being used as places of wrestling bouts wasting public funds and people should choose their representatives more carefully and organisations like Lions Clubs should educate the voters properly".

Expo-70 has created a lot of commotion in this country. This August House discussed this subject because some under-hand dealings were there. Now I ask you to tell us whether this House is not competent to discuss about Expo-70. I do not understand how there was wastage of funds in this regard. It was inevitable that this subject had tubs discussed because the selection made was very bad. If the Governor says it is wastage of public funds we can say that he is also wasting public funds. In this connection, I would like to mention that he has taken upon himself the responsibility of an arbitrator to go into the case of Expo-70, and give a decision. The same gentleman has said at Mangalore that the students were misled by interested parties,

(SRI H. M. CHANNABASAPPA)

and the students destroyed their own property and by that they did harm to themselves. Being a judge this is how he feels about this before giving his judgement. Therefore the Governor has erred in giving a statement like this without knowing the circumstances of the case. We can very well understand what exactly his feelings are on this matter.

The statement of the Governor has wounded not only my feelings but also the feelings of a few people including the chair who is responsible to uphold the dignity of this House, to maintain law and order in this House and to protect our privileges including yourself.

Sir, the Governor said :

> "He was pained to see children being misled by interested parties. In Bangalore, students destroyed their own property and by that did harm to themselves. In an obvious reference to the agitation against the selection of the Expo team, Mr. Dharma Vira said that in choosing a few from thousands for any tour team there might be mistakes and selections might not be acceptable to all, but goondaism and hooliganism was not method to express one's displeasure. How could any nation be united or prosper if the outlook of its people was based on impossible, unreasonable and irreconcilable demands, he asked".

So I want you to appreciate the background the Governor had in mind before making this statement about the conduct of the Legislators. He said that several days have been spent by the Lsgislature incurring unnecssary expenditure. Therefore, Sir, there can be no doubt whatsoever, that the Governor had in his mind what transpired in this House in conneoction with the *Expo-70* discussions and in definitely refers to the conduct of the Members of this House and Shri Dharma Vira, the Governor of Mysore, has wilfully, and voluntarily done a great harm to the dignity and decorum of the Members of this House and damaged the prestige of this August House. Threfore I feel, Sir, that it is a fit case to be dealt with under the privilege motion and hence I request the privilege motion may be admitted.

Sri L. SRIKANTIAH:— Sir,I may be permitted to speak.

SRI K.H, PATIL:— Sir, if any other Hon. Members were to be given opportunity to speak, I may also be permitted to speak.

Mr. SPEAKER:— She usual practice is when a motion of this type is given notice of, unless the consent is given by the Speaker it does not become a subject matter for discussion or debate in this House. Therefore, I request the Hon. Members not to press, at this stage, to given them an opportunity to speak. I shall allow only those members who are signatories to the notice of privilege motion.

SRI M. NAGAPPA:— Sir before deciding whether you should give consent to this motion or not, it would be better that some of the Hon. Members are heard on the issue. This an important matter.

Mr. SPEAKER:— I want to know as constitutional lawyers how many members want to advise me ?

SRI S. SIVAPPA:— There may be about half-a-dozen members who intend to speak.

SRI M. RAMANNA:— Sir, a time limit has to be fixed within which this matter is to be disposed of .

Mr. SPEAKER:— The whole thing should be finished within 15 minutes. I shall permit two or three other Hon. Members also to speak for a minute or two. Now, I call upon the hon. Member Sri Nanje Gowda.

† ಶ್ರೀ ಎಚ್.ಎನ್. ನಂಜೇಗೌಡ:—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಈ ಒಂದು ಸೂಚನೆಯನ್ನು ಈ ಸಭೆಯ ಹಕ್ಕು ಭಾಧ್ಯತೆಗೆ ಚ್ಯುತಿ ಬಂದಿದೆ ಎಂದು ತಿಳಿದು ಬಹಳವಾಗಿ ಯೋಚನೆಮಾಡಿ ತಾವು ಇದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬೇಕಾದರೆ ಬಹಳವಾಗಿ ಯೋಚನೆಮಾಡಿ ತಮ್ಮ ತೀರ್ಮಾನವನ್ನು ಕೊಡುವಿರಿ ಎಂಬುದು ನಮಗೆ ಗೊತ್ತಿದೆ. ಇದಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಹಾಗೆ ರಾಜ್ಯಾಂಗದಲ್ಲಿರುವ ೧೫೨, ೧೫೪ ಮತ್ತು ೧೫೫ ನೆಯ ವಿಧಿಗಳನ್ನು ತಾವು ನೋಡಬಹುದು. ಗವರ್ನರ್‌ರವರಿಗೆ ಅನೇಕ ಅಧಿಕಾರಗಳನ್ನು ಕೊಟ್ಟಿದ್ದರೂ ಕೂಡ ಅವರು ಈ ಸಭೆಯ ಬಗ್ಗೆ ಲಘುವಾಗಿ ಮಾತನಾಡುವುದು ಸರಿಯಲ್ಲ. ಹಾಗೆ ಮಾತನಾಡಲು ಅವರಿಗೆ ಅಧಿಕಾರ ಯಾವ ವಿಧಿಯಲ್ಲಿದೆ ? ಈಗ ನಾವು ಕಳಿಸಿರುವ ಸೂಚನೆಯನ್ನು ಆಡ್ಮಿಟ್ ಮಾಡಬೇಕೆಂದು ಕೇಳುತ್ತಿದ್ದೇವೆ. ೧೭೭, ೧೭೮ ಮತ್ತು ೧೯೯ — ಈ ನಿಯಮಗಳನು (ರೂಲ್‌ಗಳನ್ನು) ತಾವು ಅಭ್ಯಾಸಮಾಡಿ ಈ ಮೂರು ವಿಧಿಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಹಾಗೆ ನಮ್ಮ ನೋಟೀಸ್ ಬಂದಿದ್ದರೆ ತಾವು ನಮ್ಮ ಸೂಚನೆಗೆ ಅವಕಾಶ ಕೊಡಬೇಕಾಗುತ್ತದೆ. ಏಕೆಂದರೆ ನಾವು ಸಭೆ ಪ್ರಾರಂಭವಾಗುವುದಕ್ಕೆ ಮುಂಚೆ ನೋಟೀಸು ಕೊಡಬೇಕಾಗಿತ್ತು. ಅದರಂತೆ ಕೊಟ್ಟಿದ್ದೇವೆ. ಎರಡನೆಯದಾಗಿ ಇದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ವಿಷಯ ತಕ್ಷಣದಲ್ಲಿ ನಡೆದಿರುವುದು ಆಗಬೇಕು. ಅರ್ಜೆಯಸ್ಟ್ ಆಪರ್ಚುನಿಟಿ ತೆಗೆದುಕೊಳ್ಳಲಾಗಿದೆ. ಮೂರನೆಯದಾಗಿ ಪ್ರೈಮಾಫೇಸಿ. ಕಣ್ಣಿಗೆ ಕಾಣುವಹಾಗೆ ಈ ಸಭೆಯ ಘನತೆಗೆ ಚ್ಯುತಿ ತರುವ ಪ್ರಯತ್ನ ನಡೆದಿದೆ. ಈ ಸಭೆಯಲ್ಲಿ ಕಾಲಹರಣಮಾಡಿ ದೇಶದ ಹಣವನ್ನು ವ್ಯಯಮಾಡುತ್ತಿದ್ದಾರೆ ಎಂದರೆ ಆ ಮಾತನ್ನು ಯಾರಾದರೂ ಹೇಳಿದರೆ ನಮಗೂ ನಿಮಗೂ ನೋವಾಗುವುದು. ಸ್ಥಾನಮಾನಗಳಲ್ಲಿರುವವರು ಇಂಥ ಮಾತನ್ನು ಹೇಳಿದಾಗ ಸಾಮಾನ್ಯ ಜನರ ಮನಸ್ಸಿನಲ್ಲಿ ಈ ಸಭೆಯ ನಡೆವಳಿಕೆಗಳ ಬಗ್ಗೆ ದುರಭಿಪ್ರಾಯ ಮೂಡುವುದು ವಾಸ್ತವ. ಸಾಮಾನ್ಯ ಜನರ ಮನಸ್ಸಿನಲ್ಲಿ ಈ ಸಭೆಯ ನಡುವಳಿಕೆಗಳ ಬಗ್ಗೆ ದುರಭಿಪ್ರಾಯ ಮೂಡಿದರೆ ನಾವು ಈ ಸಭೆಯಲ್ಲಿ ಕೆಲಸಮಾಡುವುದು ಕಷ್ಟವಾಗುತ್ತದೆ. ಇದನ್ನು ತಾವು ಯೋಚನೆಮಾಡಬೇಕೆಂದು ನಾನು ಅರಿಕೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ತಾವು ತೀರ್ಮಾನಮಾಡುವಾಗ ಒಬ್ಬ ವ್ಯಕ್ತಿಯ ಸ್ಥಾನಮಾನಕ್ಕೇ ಹೆಚ್ಚು ಪ್ರಾಮುಖ್ಯತೆ ಕೊಡಲು ಮನಸ್ಸು ಮಾಡಬಾರದು. ಈ ಸಭೆಗಿಂತ ದೊಡ್ಡವರು ಯಾರೂ ಇಲ್ಲ. ಇದು ಪ್ರಜಾಪ್ರಭುತ್ವ ಪದ್ಧತಿ ಪ್ರೇಸಿಡೆಂಟರನ್ನು ಇಂಪೀಚ್ ಮಾಡಲು

(ಶ್ರೀ ಎಚ್. ಎನ್. ನಂಜೇಗೌಡ)

ನಿರ್ಣಯ ಮಾಡುವುದಕ್ಕೆ ಕೂಡ ಅವಕಾಶವಿದೆ. ಯಾರಾದರೂ ಯೋಗ್ಯವಾದವರಲ್ಲವೆಂದು ಕಂಡು ಬಂದರೆ ಅವರನ್ನು ತೆಗೆಯಿರಿ ಎಂದು ಹೇಳಲು ಅವಕಾಶವಿದೆ. ರಾಷ್ಟ್ರಪತಿಗೆ ದೂರು ಕೊಡಬಹುದು. ಸಾರ್ವಜನಿಕರ ಅಭಿಪ್ರಾಯಕ್ಕೆ ವಿರೋಧವಾಗಿದೆ ನಮ್ಮ ಹಕ್ಕು ಖಾಧ್ಯತೆಗೆ ಧಕ್ಕೆ ಬರುವಂತಿದೆ. ನಾವು ಕೊಟ್ಟಿರುವ ಸೂಚನೆ ಕಾನೂನು ಪ್ರಕರಣ ಇದೆ. ಆದುದರಿಂದ ನಮ್ಮ ಸಭೆಯ ಗೌರವಕ್ಕೆ ಚ್ಯುತಿ ಖಂದಿದೆಯೇ ಇಲ್ಲವೇ ಎಂಬುದನ್ನು ಅರ್ಥ ಮಾಡಿಕೊಂಡು ತಾವು ಇದಕ್ಕೆ ಅವಕಾಶಕೊಡಬೇಕು. ಆಮೇಲೆ ಉಳಿದ ವಿಷಯಗಳನ್ನು ನಾವು ಹೇಳುತ್ತೇವೆ.

Sri L. SRIKANTIAH:—Sir, I have heard with all respect all that the hon. Member Sri Channabasappa has said while seeking your consent to move his Privilege motion and in the course of his speech he qas associated other members to say that this House more or less agrees unanimously with him. But so far as Iam concerned, with all due respect to my Learned Frind Sri Channabasappa I beg to differ from him.

Assuming for argument's sake that what was uttered by Sri Dharma Vira at Mangalore is correctly and truly reflected in the press, the question is whether that statement taken as a whole amounts to a breach of privilege of the Hose. I submit that it does not amount to to a breach of privilege of the House. I am not holding any brief for Sri Dharma Vira, we know his role in West Bengal as Governeor. Anyway, let us not be prejudiced by his role as Governeor of Bengal. Assuming for argument's sake that what all has been reported in the press is a verbatim and correct statement made by Sri Dharma Vira, still I main tain that it does not amount to breach of privilege of this Hon. House for two reasons. I invite the attention of the hon. Members to clause(iii) of Rule 179 which says "the matter requires the intervention of the Assembly" One point is whether in the courseof his statement hehas referred inparticular to theproceedings of the Mysore Legislative Assmbly. The fact that he is the Governor of Mysore does not mean that he is not an individual by himself and under the Constitution every individual has got the right to express opinion. Suppose I say in general that all the members of the House of Commons are a set of gangsters or decoits Does it mean that it amounts to a breach of privilege of the members of the House of Commons and can the Speaker ef the House of Commons haul me up for that statement? It is my personal opinion, whether it is true or not it is entirely a different matter.

The hon. Member Sri Channabasappa was saying that obviously the Governor was refereing to the proceedings of the Assembly when he uttered those words. Even then I submit that it does not amount to a breach of privilege of the members of this House I am entitled to hold my opinion and my friend is entitled to his opinion. Suppose on reading press reportsin India he comes to the conclusion that the Assembles are not working satisfactorily and that the mebmers are not discharging their functions properly, can youhaul him up for that and say tha the is

commiting a contempt of the House and therefore it is a breach of privi lege of theHouse. Thereby let us not forget that we are depriving a person of his liberty which he is entitled to under the Constitution. Long before he uttered these words at Mangalore, he was pleased to address the members of the Commonwealth Parliamentary, as ocia tion on what are the duties and obligations of the legislators *i. e.* members of Assemblies and Parliament and said,"These are responsble people and we expect so much from them" If a generalised steatement is made on the rights, duties and obligations of members, I fail to understand by what cannons of law it could amountto a breach of privilege. With these remarks I cannot associate myself with the statement made by the hon. Member Sri Channabasappa that it amounts to a breach of privilege.

†Sri M. NAGAPPA:—Sir, we are dealing with the question of breach of privilege against the Head of this State. While dealing with this matter, we must distinguish between th person and his position. If this statement has been made in Mangalore by Sri Dharma Vira, the point for consideration is whether it was made in his capacity as an individual or the Head of the State. So far as my knowledge goes, he was touring in Mangalare not in the capacity of Dharma Vira but in the capacity of Governor and so if he has stated anything, it is in the capacity of Governor. The point is whether he can say that the members are wasting the funds of the Exchequer of this State by not properly functioning in this House. We have to see whether he has got the right to say that or not. If he has got that right, is he not competent to say it outside since he has taken the oath to protect the interest of the public at large. While taking the oath he has stated that he would devote himself to the well-being of the people of the Mysore State. When he has taken that oath, is he not competent to say about function of the Assembly?

Even an ordinary man who has got the fundamental right, under the constitution- under Article 17-freedom of speech is ensured to him- He can criticise our action The press can critisicise our actions. Suppose I have been ordered by the House to go out and I go out, is it not the duty of the press to publish it. If any demonstration has been on the floor of the House, is it not the right of the press to publish it. We must see whether the words that have been used by Mr.Dhrma Vira have tended to particularise and cast reflection on the Mysore Assembly as such. I have carefully read the speech this morning. In fact I myself wanted to bring a previlage motion. But I gave close thought to the matter and I realised that he has made only a general statement. He has not made any particular reference to a particular Assembly. In this Assembly even the Hon. Members on the treasury benches are also included.

(Sri M. Nagappa)

3-00 P.M.

It is relevent for us to remember what the Advocate-General has stated in the Bombay Assembly in similar circumstances before the committee of privilges. He has made it clear that the freed om of speech includes freedom to criticise. When freedom of speech is given to an individual, freedom to pass fair criticism is also there. He says:

" If the criticism is fair and legitimate.

every legislator must be prepared to face it." Particularly in this case, Sri Dharma Vira has not made that statement as an individual. Even it is made as an individual, he is protected under Article 17 of the Constitution.

Therefore, I submit that we will be creating a very bad precedent in the House if we give permission or leave to move the motion of breach of privilege on such a matter. Before giving the consent, I request the Hon. Chair to give very considered thought to this aspect and then do the right thing. That is my submission.

ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ (ಸೊರಬ) :— ಸ್ವಾಮಿ ಅಧ್ಯಕ್ಷರೇ, ಮಾನ್ಯ ರಾಜ್ಯಪಾಲರು ಮಂಗಳೂರಿನಲ್ಲಿ ಮಾಡಿದಂತಹ ಭಾಷಣದ ಬಗ್ಗೆ ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ತಂದಿಲ್ಲ. ಅದು ಇನ್ನೂ ನಮ್ಮ ಮುಂದೆ ಬಂದಿಲ್ಲ. ಹಕ್ಕುಭಾದ್ಯತೆಗಳ ಸೂಚನೆ ಬಂದಿಲ್ಲ; ಅದು ಬರತಕ್ಕಂಥ ಸಂದರ್ಭ ಇದ್ದರೂ ಕೂಡ ಮೊದಲು ಕನ್ಸಿಡರ್ ಮಾಡತಕ್ಕಂಥ ಸ್ಟೇಜಿನಲ್ಲಿ ಇದ್ದೇವೆ. ರಾಜ್ಯಪಾಲರ ಭಾಷಣದ ಬಗ್ಗೆ ಮಾನ್ಯ ಸದಸ್ಯರಾದ ನಾಗಪ್ಪನವರು ಈಗಾಗಲೇ ಹೇಳಿದ್ದಾರೆ ದೇಶದಲ್ಲಿರತಕ್ಕ ಪ್ರತಿಯೊಬ್ಬ ಪ್ರಜೆಗೂ ನ್ಯಾಯ ಬದ್ಧವಾಗಿ ಟೀಕೆ ಮಾಡುವುದಕ್ಕೆ ರಾಜ್ಯಾಂಗದಲ್ಲಿ ಬದ್ಧವಾದ ಹಕ್ಕು ಇದೆ. ಅವರು ರಾಜ್ಯಪಾಲರೂ ಕೂಡ ಹೌದು. ಅವರು ನಮ್ಮ ಮೈಸೂರು ರಾಜ್ಯಕ್ಕೆ ರಾಜ್ಯಪಾಲರಾಗಿ ಮಂಗಳೂರಿನಲ್ಲಿ ಭಾಷಣ ಮಾಡಿದ್ದರೆ, ನನ್ನ ಪ್ರಕಾರ ಅದು ಹಕ್ಕುಬಾಧ್ಯತೆ ಸಮಿತಿ ಯೋಚಿಸಲು ಸರಿಯಾದಂಥ ವಿಷಯ. ವೈಯಕ್ತಿಕವಾಗಿ ಧರ್ಮವೀರರು ಹೇಗಾದರೂ ಇರಲಿ ಅವರು ಎಷ್ಟು ಹಣ ಖರ್ಚುಮಾಡುತ್ತಾರೆ ಏನ ಮಾಡುತ್ತಾರೆ. ಅವರು ಅಲ್ಲಿ ಗವರ್ನರ್ ಆದಾಗ ಏನು ಓತ್ ತೆಗೆದು ಕೊಂಡಿದ್ದಾರೆ ಎನ್ನತಕ್ಕಂಥ ವಿಷಯಗಳು ಈಗಾಗಲೇ ಪ್ರಸ್ತಾಪಕ್ಕೆ ಬಂದಿವೆ, ಮತ್ತು ಇದರ ಬಗ್ಗೆ ಸಾಕಷ್ಟು ಜನಗಳು ಚರ್ಚೆಮಾಡುತ್ತಾ ಇದ್ದಾರೆ. ಅವರು ಉತ್ತರ ಪ್ರದೇಶ, ಬಂಗಾಳ ಶಾಸನ ಸಭೆಗಳ ಬಗ್ಗೆ ವಿಚಾರ ಮಾಡಿದ್ದಾರೆ. ಅವರು ತಮ್ಮ ಭಾಷಣದಲ್ಲಿ ವಿಧಾನ ಮಂಡಲಗಳು ಕುಸ್ತಿಯ ಅಖಾಡಗಳಂತೆ ಉಪಯೋಗಿಸಲಾಗುತ್ತಿದೆ, ನಿಜವಾದ ಕೆಲಸ ಮಾಡುತ್ತಾ ಇಲ್ಲ. ಸಾರ್ವಜನಿಕರ ಹಣವನ್ನು ವ್ಯರ್ಥ ಮಾಡುತ್ತಾ ಇದ್ದಾರೆ ಎಂದು ಹೇಳಿರುವುದು ಎಕ್ಸ್‌ಪೋ ೭೦ ರ ಮೇಲೆ ಇಲ್ಲಿ ಚರ್ಚೆ ಮಾಡಿರುವುದಕ್ಕೆ ಅನ್ವಯಿಸುತ್ತದೆ. ಆದರಿಂದ ನಾನು ಹೇಳುವುದು ಅವರು ವೈಯಕ್ತಿಕವಾಗಿ ಹೇಳಿದ್ದಾರೋ ಅಥವಾ ರಾಜ್ಯಪಾಲರಾಗಿ ಹೇಳಿದ್ದಾರೋ ಎಂದು ತಿಳಿದುಕೊಂಡು ರಾಜ್ಯಪಾಲರಿಗೆ ನಾವು ಈ ಸದನದಿಂದ ಪತ್ರ ಬರೆಯಬೇಕು. ಇಲ್ಲದಿದ್ದರೆ ಅಧ್ಯಕ್ಷರು ಪತ್ರ ಬರೆದರೂ ಸರಿ. ರಾಜ್ಯಪಾಲರಿಗೆ ಮಾತನಾಡಿದರೆ ಅವರ ವರ್ತನೆ ಬಗ್ಗೆ ನಾವು ವಿಚಾರ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಅವರು ದೇಶದ ಪ್ರಜೆಯಾಗಿ ಮಾತನಾಡಿದ್ದರೆ ಅದರ ಹಕ್ಕಿಗೆ ನಾನು ಅಡ್ಡಿ ಬರುವುದಿಲ್ಲ. ರಾಜ್ಯಪಾಲರು ಭಾಷಣ ಮಾಡಿದ್ದರ ಮೇಲೆ ನಿಲುವಳಿ ಸೂಚನೆ, ಹಕ್ಕು ಭಾದ್ಯತೆ ನಿರ್ಣಯ ತರುವುದಕ್ಕೆ ಮೊದಲು, ಅವರು ಯಾವ ಆಧಾರದ ಮೇಲೆ ಮಾತನಾಡಿದ್ದಾರೆ ಎಂದು ತಿಳಿದುಕೊಂಡು ಆಮೇಲೆ ಅವರ ಮೇಲೆ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕು. ನಮ್ಮ ರಾಜ್ಯಾಂಗದ ಪ್ರಕಾರ ಅವರ ಮೇಲೆ ಏನೂ ಹೇಳಬಾರದು ಎಂದು ಇಲ್ಲ. ನನ್ನ ಅಭಿಪ್ರಾಯದಲ್ಲಿ ಇದನ್ನು ಈ ಸದನದ ಹಕ್ಕುಭಾಧ್ಯತೆಯ ವಿಷಯವನ್ನಾಗಿ ಚರ್ಚೆಗೆ ತೆಗೆದು ಕೊಳ್ಳುವುದಕ್ಕೆಮೊದಲು, ಅವರ ವೈಯಕ್ತಿಕ ಅಭಿಪ್ರಾಯವನ್ನು ಪಡೆದ ನಂತರ ಅದನ್ನು ತೀರ್ಮಾನ ಮಾಡಬಹುದು.

† Sri M.S. KRISHNAN (Malleswaram) :— Sir, I have been hearing very carefully my Hon Friends Sri Nagappa and Sri Bangarappa. I beg to differ from their views. My position is this: I agree with the contention placed before the House by the Hon. Member Sri Channabasappa.

The first question is, what are the functions of the Governor, whether the Governor as a Governor can speak in the manner he has spoken and what are the main functions which the Governer has to do. We are not concerned with Sri Dharma Vira as an individual. We are concerned with Sri Dharma Vira as the Governor of the State. As we all know Article 154 of the Constitution says :

> " The executive power of the State shall be vested in the Governor and shall be exercised by him either directly or through officers subordinate to him in accordance with this Constitution ".

Secondly, regarding the conduct of Government business, Article 166 says how in the name of the Governor the State has to conduct itself. From these two articles it is quite clear that the Governor is purely a Constitutional head and he can only exercise him authority on the advice of the Government and the ruling party. Beyond that he himself is not able to function individually on his own in accordance with what he feels. A point was made out as to whether Sri Dharma Vira, acted as an individual or as Governor. This split personality, cannot exist. As long as Sri Dharma Vira is the Governor of the State, he cannot say that he speaks as Dharma Vira in one place and as Governor in another place.

The second point is, as far as the privilege motion is concernedt has he got no right to speak. ? What he has spoken is most importana From what I read in the press I find that his statement was not a general statement about all legislatures. It is with reference to *Expo-70* It is said that legislatures have become a wrestling bout and there is wastage of public money. In the circumstances, he is questioning and he is commenting upon the activity or functions of the debate that has taken place here. So we as members of the House have a right to question the statements made which affect our privilege The third point is, whether he has immunity. There is no immunity for the Governer. He is not immune from being held responsible for statements which affect the privilege of the members of this House and the statement made appears to me wrong and consent should be given.

† SRI D. B. KALMANKAR (Aland) :— When I read the newspaper I was also very much hurt at the way in which it was stated. But after some consideration I came to the conclusion that we cannot raise a privilege motion against the conduct of the Governor because in the statement that he has made at Mangalore he has made a general

(SRI D. B. KALMANKAR)

statement and he has not only attacked the functioning of the legislatures in the country but he has also attacked the students, agitation, public representatives, and so on. Secondly, if we read Arts. 175 and 176 of the Constitution we find that he has got powers to send even a message to this House. So he can say that whatever is done in the Assembly is not in consonance with public decency, is not at all proper, or it is a misuse or waste of time and real work is not being done. When he has got powers unders Arts. 175 and 176 to send messages, my submission is that there is no restriction on him to say something about the functions of the legislature as a whole.

SRI H. M. CHANNABASAPPA :— Does the Hon. Member mean that the particular Article makes Sri Dharma Vira to be the Monitor of this House ?

SRI D. B. KALMANKAR :— I can say that he is the head of the legislature also ; he can Address this Assembly. He has the right to address. When he has the privilege to address this Assembly he has the right to criticise also. He has not criticised any particular legislature. He has criticised the institution of legislature as a whole.

ಶ್ರೀ ಎಸ್. ಬಂಗಾರಪ್ಪ :— ರಾಜ್ಯಪಾಲರು ಈ ಅಸೆಂಬ್ಲಿಯ ಮಾನಿಟರ್ ಆಗುವುದಕ್ಕೆ ಅವರಿಗೆ ಏನೇನೂ ಪವರ್ಸ್ ಇಲ್ಲ. ಅವರು ಹೆಡ್ ಆಫ್ ದಿ ಸ್ಟೇಟ್ ಎಂದು ಹೇಳಿದರೂ ನಾವು ಇಲ್ಲಿ ಮಕ್ಕಳು ಮಂರಿಗಳಂತೆ ಇರುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ.

SRI D.B.KALMANKAR : I fail to understand how when the Governor can dissolve the Assembly and take so many decisions concerning the Assembly, he cannot have that much of power to criticise the legislature as a class. He has not pointed out the legislature of this State. He has not stated in so many words about this legislature alone. He has spoken of legislatures as a class. Is it wrong to say this fact. ? When it is a fact, if it is happening in some Assemblies, is it wrong to say that some things happen whic are not in accordance with decency ? No doubt, under Art. 19 there are fundamental rights such as freedom of speech ; but there are also limitations. But what I am submitting is, he has not criticised this Assembly. Morever even under Rule 288 a member while making speech shall not use the name of the Governor My submission is that there cannot be a privilege motion, He has generalised and unfortunately the things that are happening in the Assembly are such as to make us doubt whether democracy is going to be there in the country or not. It is the concern of every citizen ; he is the Governor of the State. If he has made some categorical remarks about the functioning of the legislature, I think it is not wrong.

† SRI S. R. BOMMAI (Kundgol) :— Mr. Speaker, before we refer to the actual statement, I would like to refer to the rule itself.

> " A member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member, or of the Assembly or of a Committee thereof. "

I would like to read Rule 179.

> " The right to raise a question of privilege shall be governed by the following conditions, namely.-
>
> (i) not more than one question shall be raised at the same sitting ;
>
> (ii) the question shall be restricted to a specific matter of recent occurrence ;
>
> (iii) the matter requires the intervention of the Assembly. "

If we apply the test laid down in these Rules. We can know whether the speech that is reported in the press attracts those provisions and whether permission is to be granted or not will be very clear This is what is reported in the newspaper.

"Addressing the Mangalore Lions Club here yesterday, Mr. Dhama Vira said the Country was passing through a critical phase and what happened in the next two years would decide the direction in whith it would move.

MR. SPEAKER:—Without making a reference to the merits or demerits of the governors speech. The Hon. Member should state the consrtitutional point.

SRI. S.R. BOMMAI.—The Governor has made a general statement about the elected representatives of the people conducting themselves properly in the Legislature it may refer to Legislature of any State. There is no particular reference to the proeedings of this House. There is no reference to any speeeh or anything done or said by a member of this House. If we read the whole speech as reported in the press it is crystal clear that there is a general remark or opinion expressed by the Governor about the behaviour of elected representatives I may humbly submit that simply because a persen happens to be a Governor, he does not cease to be a citizen or lose his right of speech or freedom of expresion. I may here recapitulate what our Prime Minister stated in the Parliament, She stated once that any amount of shouting in the House will not change the public opinion. She used the word shouting in the House. The Prime Minister also stated this in the Parliament A number of times, leaders of this country when they look to the conduct of the proceedings in the Assemblies have given vent to their feelings. So

(Sri S. R. BOMMAI)

the people at large responsible people in the country and the intelligen -tzia in this country are worried about the way in which the parliament is conduеted, it is the opinion of most of the intelligentzia of the country-They are not only worried but they are simply fed up with the behaviour of most Assembly Legislators in this country.

SRI MS. KRISHNAN- I rise to a point of order I was told that we are not not going into the merits or de-merits of the Governor's speech and I was thus controlled by the Chair. But now the the Chair is not controlling Sri Bommai in the same manner, he is going into tbe merits of the speech.

MR. SPEAKER. At the outset of hisspeech itself I have instructed him Hon, Member Sri Bommai should not make a reference to the merits of that speech.

ಶ್ರೀ ಎಚ್ ಎನ್ ನಂಜೇಗೌಡ; ನಾವು ಇದನ್ನು ಅಡ್ಜಿಟ್ ಮಾಡಬೇಕೇ ಬೇಡವೇ ಎಂಬುದರ ಬಗ್ಗೆ ಮಾತನಾಡಬೇಕಾಗಿದೆ, ಅದನ್ನು ಬಿಟ್ಟು ಬೇರೆ ಅಸೆಂಬ್ಲಿ ಹೇಗೆ ನಡೆಯುತ್ತದೆ ಎಂದೆಲ್ಲಾ ಹೇಳುತ್ತಿದ್ದಾರೆ.

Sri Bommai is now making allegations againat legislators and you are keeping quiet.

MR. SPEAKER:—I have not kept quiet. I have already infortmedthe Hon. Members that they should speak only on the constitutional points and not enter into the merits or demerits ef Governor's Speech.

SRI S.R. BOMMAI: The Governor has impressed that weare spending in huge amounts in conducting the deliberations of the Legislature.

MR. SPEAKER:—The Hon. Membershould speak only on constitutional points and admissibility of the notice.

SRI S.R. BOMMAI;—The Governor has made a general remark about elected representatives when huge funds are spent on account of them He has only expressed his anxiety when the tax payers money is spent.

MR SPEAKER: —The Member is going into the merits of the speech.

SRI S.R. BOMMAI:— I may be permitted to say that there is no reference to a particular incident that has happened in this Assemblly General observations are there. Therefore, there is no breach of privilege.

† SRI, H. SIDDAVEERAPPA:— Sir I had really no intention of speaking on this subject because I thought it was a very simple one. An Hon. Member of this House thought that the matter involved a breach of privilege and a notice was given. Rules are very clear on this point Rule 180 may be referred to. As you stated, no debate lies at this stage. It was purely a matter between the Chair and the gentleman or gentlemen who give the notices about the alleged breach of privilege the Rule very clearly says that if you like you may " call the member concerned, who shall rise in his place and while asking for leave to raise the question of privilege make a short statement relevant thereto

Now, wittingly or unwittingly you have allowed a sort of a general discussion, a general discussion almost bordering on various things. I personally feel that this is a very grave issue, a grave issue concerning the conduct of the Head of the State; and a very rare, exceptional occasion, the like of which perhaps had not come earlier in this House. And, therefore, I thought before entering into the merits of it or entering into it, you would apply your mind; you could have excercised your discretion in the matter and you could have given a decision. Now having allowed some of us to express our opinion.....

MR. SPEAKER:— At this stage, lest I should be misunderstood, I would like to state one or two things. I informed the Hon. Member Sri Channabasappa that this matter cannot be taken up for discussion unless consent was given. I made that point very clear. Since the matter has agitated so many members, I permitted them to say a word or two on the point whether consent should be given or not for its discussion. This permission should not, cannot and ought not to be considered as permission for discussing the whole question. If Sri Siddaveerappa wants to say something on the simple point whether consent should be given or withheld, he may do so.

SRI H. SIDDAVEERAPPA:— I am accustomed to speak only on relevant things. But you have allowed us to traverse other grounds with regard to the merits and demerits of the speech.

MR. SPEAKER:— I did not allow it.

SRI H. SIDDAVEERAPPA:— During the course of the speeches that were delivered nothing has been cut down. Some members stated that no wrong has been committed and that the Governor was within his bounds to raise those points.

Now, so far as the Constitutional powers of the Governor are concerned, I do not wish to dilate much. The Governor under the present dispensation of things in India is not a mere puppet; he is not a mere rubber stamp; he is not a mere sealing machine. As the Head of the State, it is the constitutional duty of the Governor to call to order

(Sri, H. SIDDAVEERAPPA)

the maladministration that has been going on in this country. As has been expressed times out of number on the floor of this House, that is his responsibility. I am only saying it as an auxiliary thing by way of saying a few words. When such is the position, instead of apparently or *Prima facie* condemning the Legislature, being satisfied with saying that the Legislature has been misbehaving and all that, I would have been very happy if in one of his public utterances, the Governor, who dhas been touring, constantly had stated something about the maladmini stration.

MR. SPEAKER:— Is the Hon. Member going to say anything about the constitutional point?

3-30 p. m.

SRI. H. SIDDAVEERAPPA :— I am only aiming at that. In the opinion of my friend Sri Channabasappa the Governor has committed a breach of privilege. Having heard some of the speeches made by Hon. Members and particularly having heard the hon. Member Sri Bangarappa. I am prone to think that before you give a decision it is better you bring this matter to the notice of the Governor that the House or at least a part of the House feels injured or hurt by the remarks of the Governor and you may ask the Governor what his views are in the matter. That soould be the proper thing to do. I feel that what Sri Bangarappa has suggested would be the sensible thing to do. Before you make up your mind to give at runing one way or the other you should do that.

† SRI B. P. GANGADHAR : The matter has been elaborately argued both for and against. It was pointed out that only the legal position with regard to admissibility should be considered. I submit that this is not merely a legal question, but a question of both law and facts. It is a mixed question of law and facts. So I request you to get at the correct facts and the correct version from the Governor so that you may be able to know the actual words spoken by him during his speech. After that you can come to your own conclusion whether it amounts to breach of privilege or not and then further proceedings can be taken np.

† ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ :—(ಶ್ರವಣಬೆಳಗೊಳ) ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಇದು ಬಹಳ ಪ್ರಾಮುಖ್ಯವಾದ ವಿಚಾರ. ಪ್ರಥಮ ಬಾರಿಗೆ ಈ ಶಾಸನ ಸಭೆಯಲ್ಲಿ ಇಂಥಾ ವಿಚಾರ ಚರ್ಚೆಗೆ ಬಂದಿದೆ. ಇವೊತ್ತು ರಾಜ್ಯಪಾಲರಾದ ಶ್ರೀ ಧರ್ಮವೀರ ಅವರು ಮಾಡಿರತಕ್ಕ ಒಂದು ಹೇಳಿಕೆ ಏನಿದೆ ಅದರಲ್ಲಿ ಈ ಶಾಸನ ಸಭೆಯ ಘನತೆಗೆ ಧಕ್ಕೆ ಬರತಕ್ಕಂಥ ಮಾತುಗಳನ್ನು ಆಡಿದ್ದಾರೆಂಬ ಅಂಶ ಮತ್ತು ಈ ಸಭೆಯ ಹಕ್ಕು ಬಾಧ್ಯತೆಗಳನ್ನು ಉಲ್ಲಂಘನೆ ಮಾಡಿದ್ದಾರೆ ಎಂಬ ಪ್ರಶ್ನೆ ಈ ಸಭೆಯ ಮುಂದೆ ಚರ್ಚೆಯಾಗುತ್ತಿದೆ. ಇದು ಮೊದಲನೆಯ ಸಾರಿಯ ಚಾರಿತ್ರಿಕ ವಿಚಾರ ಅನಿಸುತ್ತದೆ. ಇಂಥಾ ವಿಚಾರ ಪ್ರಥಮ ಬಾರಿಗೆ ಶಾಸನ

ಸಭೆಯ ಮುಂದೆ ಬಂದಿದೆ. ಶ್ರೀಮಾನ್ ಧರ್ಮವೀರ ಅವರು ಶಾಸನಸಭೆಯ ನಡವಳಿಕೆಗಳ ಬಗ್ಗೆ ಏನೋ೦ದು ಅಭಿಪ್ರಾಯವನ್ನು ವ್ಯಕ್ತ ಮಾಡಿದ್ದಾರೆ, ಅದೇ ಅಭಿಪ್ರಾಯ ಬರತಕ್ಕ ಮಾತುಗಳನ್ನು ರಾಷ್ಟ್ರಪತ್ಯಕ್ಷರಾದ ಶ್ರೀಮಾನ್ ಗಿರಿಯವರೂ ಕೂಡ ಕೆಲವು ಕಡೆ ಅವರ ಭಾಷಣದಲ್ಲಿ ಹೇಳಿದ್ದಾರೆ. ಶಾಸನ ಸಭೆ ಮತ್ತು ಪಾರ್ಲಿಮೆಂಟ್ ಏನಿವೆ ಅವು ಸಾರ್ವಭೌಮತ್ವವನ್ನು ಹೊಂದಿರತಕ್ಕ ಸಂಸ್ಥೆಗಳು, ಮತ್ತು ಜನತಾ ಪ್ರತಿನಿಧಿಗಳುಳ್ಳ ಸಭೆಗಳು. ಆ ಸಂಸ್ಥೆಗಳ ವಿಚಾರದಲ್ಲಿ ಯಾರೇ ಆಗಲೀ, ಎಷ್ಟೇ ದೊಡ್ಡವರಾಗಲೀ, ಅವುಗಳ ಗೌರವಕ್ಕೆ ಚ್ಯುತಿಯನ್ನುಂಟು ಮಾಡತಕ್ಕ ಮಾತುಗಳನ್ನು ಆಡಿದರೆ ಆ ಸಭೆಗಳ ಘನತೆಗೆ ಚ್ಯುತಿ ಬಂದಂತಾಗುತ್ತದೆ ಎಂದು ನನ್ನ ಭಾವನೆ. ಶ್ರೀಮಾನ್ ಧರ್ಮವೀರ ಅವರು ಈ ಒಂದು ಸಭೆಯ ನಡವಳಿಕೆಗಳ ಬಗ್ಗೆ ಏನು ಹೇಳಿದ್ದಾರೆ. ಅದು ಖಂಡಿತವಾಗಿಯೂ ಈ ಸಭೆಯ ಹಕ್ಕು ಬಾಧ್ಯತೆಯ ಉಲ್ಲಂಘನೆ ಆಗುತ್ತದೆಯೇ ಹೇಗೆ ಎನ್ನುವಂಥಾದ್ದನ್ನು ವಿಚಾರ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಪತ್ರಿಕೆಗಳ ಹೇಳಿಕೆಯ ಶಬ್ದಗಳನ್ನು ನಾನು ನೋಡಿಲ್ಲ. ಅವರು ಒಂದು ಜನರಲ್ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡಿದ್ದಾರೆ ಎನ್ನತಕ್ಕ ಅಭಿಪ್ರಾಯವನ್ನು ನಮ್ಮ ಮಿತ್ರರು ಹೇಳಿದ್ದಾರೆ. ಶ್ರೀಮಾನ್ ಧರ್ಮವೀರರು ಎಷ್ಟೇ ದೊಡ್ಡವರಾಗಲೀ ಈ ಸಭೆಯ ನಡವಳಿಕೆಯ ಬಗ್ಗೆ ಏನಾದರೂ ಅವಹೇಳನ ಮಾಡಿದ್ದರೆ ಅದು ಖಂಡಿತವಾಗಿಯೂ ಈ ಸಭೆಯ ಹಕ್ಕುಬಾಧ್ಯತೆಗಳನ್ನು ಉಲ್ಲಂಘನೆ ಮಾಡಿದ ಹಾಗಾಗುತ್ತದೆ.

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ :—ಅವರು ಎಂದರೆ ಶ್ರೀಮಾನ್ ಧರ್ಮವೀರರು ಯಾವ ಪ್ರಸಂಗದಲ್ಲಿ ಯಾವ ಬ್ಯಾಕ್‌ಗ್ರೌಂಡ್‌ನಲ್ಲಿ ಹೇಳಿದ್ದಾರೆ ಎಂಬುದು ಹಿಂದೂ ಪತ್ರಿಕೆಯಲ್ಲಿ ಬಂದಿದೆ. ಎಕ್ಸ್‌ಪೋ ವಿಷಯದಲ್ಲಿ ಹಣ ಪೋಲಾಗಿದೆ, ದುರ್ವಿನಿಯೋಗವಾಗಿದೆ ಎನ್ನುವ ಬಗ್ಗೆ ಈ ಸಭೆಯಲ್ಲಿ ಚರ್ಚೆ ನಡೆಯತಕ್ಕ ಸಂದರ್ಭದಲ್ಲಿ ಏನೇನು ನಡೆಯಿತು, ಯಾವ ರೀತಿ ವಾಕ್ ಯುದ್ಧಗಳು ನಡೆದಿವೆ, ಎನ್ನತಕ್ಕ ವಿಚಾರ ಸರಣಿಯಲ್ಲಿ ಇದನ್ನು ಅವರು ಹೇಳಿದ್ದಾರೆ.

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ :— ಶ್ರೀಮಾನ್ ಚನ್ನಬಸಪ್ಪನವರು ಯಾವ ಸಂದರ್ಭದಲ್ಲಿ ಶ್ರೀಮಾನ್ ಧರ್ಮವೀರರು ಈ ಸಭೆಯ ನಡವಳಿಕೆಯ ಬಗ್ಗೆ ಮಾತನಾಡಿದ್ದಾರೆ ಎಂಬುದನ್ನು ಅವರ ವಾದದಲ್ಲಿ ನಮ್ಮ ಮುಂದಿಟ್ಟಿದ್ದಾರೆ. ಆದ್ದರಿಂದ ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರು ಈ ಸಭೆಯ ಎಲ್ಲಾ ಕಡೆಯ ಮುಖಂಡರನ್ನೂ ಕರೆಸಿ ಈ ವಿಚಾರದಲ್ಲಿ ಅಧ್ಯಕ್ಷರ ಕೋಣೆಯಲ್ಲಿ ಮಾತನಾಡಿ ಇದರ ಬಗ್ಗೆ ಹೆಚ್ಚಿನ ವಿವರಗಳನ್ನು ತರಿಸಿಕೊಂಡು ಚರ್ಚೆ ಮಾಡಿ ಒಂದು ತೀರ್ಮಾನಕ್ಕೆ ಬರುವುದು ಒಳ್ಳೆಯದು ಎಂದು ನಾನು ಸಲಹೆ ಮಾಡುತ್ತೇನೆ.

MR. SPEAKER :— Now a very extraordinary situation has arisen. so far as my knowledge of the functioning of Indian Legislatures goes, this is the first time that such a motion is coming up before any Legislature.

SRI M. NAGAPPA :— Sir, we would like to know the views of the Government on this question before you give your ruling.

MR SPEAKER :—Does the Government want to say anything ?

SRI VEERENDRA PATIL. (Chief Minister) Sir, I was not present here when the discussion was going on. It appears some member of this house have given notice of a privilege motion against the Governor so far as my knowledge goes, I do not think in any Legislative Assembly or even in parliament any such attempt has been made so far to move Privilege motion against the Governor. The Governor is there as the representative of the president of India and Governor continues so lang as the president of india wants him to continue at a particular place I am told that there is a provision to impeach the president because he is an elected president but Governor are not elected. they are appointed by the president. Certain speeches have appeared in press. It is not only the speech of the Govenor but I understand that the speech of the president is also on the same lines. Both these have been reported in the press.

(Sri VEERENDRA PATIL)

We cannot go only on the basis of a news which has appeared in press. what exactly has happened under what circumstances the speech were made and whether any such thing which has appeared in the press has been said or mentioned. we do not know anything about that today. But I can only say this much that with regard to whatever is going on in the Assembly or Assemblies or in Parliament I think several members have expresesd their views editorial leadens have been written because we enjoy freedom under the constitution and we are at liberty to express our own opinion with regard to what is going on in the Assembly But so far as members of the Legislature are concerned this is the forum for us,- and so far as others are concerned if they find any otherforum I do not think there is anything wrong in saying that whatever is happening today in democracy is not in the interest of the country. I think every hon. citizen of the country is at liberty to express his views. Otherwise, it only means that we will be curbing his right which has been ensured to him under the constitution. so far as the speeches reported in the press about the Governor—I do not know about the president I can only submit that it is a general remark made by the Governor it is not with particular reference to the business that is being transacted in this Assembly. He never mentioned that in Mysore Assembly nothing is being done. It has become a battle ground, etc He has not mentioned about that. But whetever he has said, I think he has said in general terms without referring to any Assembly or to any member. so I do not think there is any question of breach of privilege. Every citizen has got a right to express about what is happening. whatever has happened is being recorded it is being taken note of by the press correspondents and every thing appears tomorrow in the press. There are so many members here who feel that so far as this Assebly is concerned although we have been sitting for the last two weeks the business we have been able to transact is very little compared to the time at our disposal in the present case we will be attacking the fundamental right which is ensured and enshrined under the constitution to every citizen of the country. If we are enjoying any privileges, it is because we are representative of those people. whoever it may be, everybody has got equal right to have his own views with regard to the business that is transacted, not only in this Assembly but in other Assemblies and parliament also I do not think that at any time the Governor of any State have been subjected to such sort of criticism. After all he is the head of the state we cannot belittle the Governor in this fashion. I was not here, other wise I would have made an appeal to you and through you to all the hon. Member who wanted to raise it, not to do it.

SRI H. SIDDAVEERAPPA:—The President is an elected president But the Governor is appointed by the President, Therefore, both cannot be equated. The President has the right to criticise, but not the Governor.

MR SPEAKER:—Various views, for and against have been expressed SRI. B. P Gangadhar pointed out that it was a question of fact and a question of law. 1 thank all the hon. Members for giving me very valuable advice and I shall take all that into consideration, 1 will go through the whole thing and shall give my Ruling on Monday. If hon. Member have any other points it is always open to them to meet me in my Chambers and discuss thouse points.
SRI. H. M. CHANNA BASAPPA::—Some Member have expressed a doubt whether this statment is really made or he meant anything else. The Chair may please ask the Governor about it.

MR. SPEAKEER; That suggestion has already been made.

REQUESTS To TAKE UP CERTAIN MATTER IN THE HOUSE.

SRI. H. SIDDAVEERAPPA.'—Sir yesterday you permitted me that 1 can say a few words about the notice I have given

MR. SPEAKER.'—If I remember correct this point was considered by the business Advisory Committee and the report containing the decision of the committee is before us. Today the only business that was sought to be done is supplementary demands and the Appropriation Bill and all other matters will be taken up tomorrow and on Monday. Hon. Member is also a party to the decision of the business Advisory Committee. 1 therefore request the Hon. Member, to accept it.

SRI. H. SIDDAVEERAPPA.'—you may kindly refer to yesterdasy proceedings 1 was permitted to raise the point today

SRI. VEERENDRA PATIL.'—SIR' the hon. Member mentioned it yesterday and then only I said that we have not recived a copy of his Notice. Whenever any member wants to raise any matter regarding the administraton we must have sufficient advance notice so that we may come here prepared and make a statement and give an effectiv reply it appears that only this morning or so, we have received a copy of that Notice and I have asked my colleague, the Minister in charge of public works to collect the information. we will be in a position to furnish the information on Monday.